

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 2:23-cv-9430-SVW-PDx Date: November 6, 2024

Title *Robert Hunter Biden v. Patrick M. Byrne*

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Present: The Honorable: Patricia Donahue, United States Magistrate Judge

Isabel Verduzco  
Deputy Clerk

N/A  
Court Reporter / Recorder

Attorney Present for Plaintiff:

N/A

Attorney Present for Defendant:

N/A

**Proceedings: (In Chambers) Order Re Defendant's Deposition**

On October 30, 2024, the Court ordered *inter alia* that Defendant's deposition take place in the United States in a district selected by Defendant and that Defendant give Plaintiff written notice of the district selected by Defendant within five days of that Order. [Dkt. No. 87.]

On November 5, 2024, the Court received an email from Plaintiff's counsel requesting an informal discovery conference and a responsive email from Defendant's counsel. Based on the information in the emails, it appears that Defendant failed to comply with the order to give Plaintiff written notice of the district selected by Defendant within five days of October 30, 2024. On November 4, 2024, at 5:00 p.m., Defendant's counsel sent Plaintiff's counsel an email explaining that Defendant was in Qatar and had been advised by a doctor there and by his long-standing treating physician in the United States not to fly due to a medical issue that he was experiencing. Defendant has not previously raised any medical condition as a reason why he could not travel to the United States for his deposition.

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The Court orders as follows:

1. Defendant is required to provide Plaintiff written notice of the district in the United States for the deposition. The parties will address the medical issue at an in-person hearing, as discussed below. That does not, however, excuse Defendant from complying with the Court order to provide written notice to Plaintiff of the district for the deposition. Defendant is ordered to provide that written notice by 5:00 p.m. Pacific Standard Time today, November 6, 2024.
2. If Defendant claims that he is unable to fly to the United States for his deposition, as ordered by the Court, for medical reasons, Defendant must file with the Court under seal, a declaration signed under penalty of perjury, declaring when the current medical issue arose that he claims prevents him from being able to fly to the United States and a list of all countries that he has traveled to and from in 2024, along with the approximate dates of travel. Defendant must also file with the Court the evidence that he contends supports his position. Defendant must submit a copy of every page of his passport for 2023 and 2024 to date, as well as all records reflecting any travel by Defendant from one country to another country in 2024. Defendant must provide these materials to Plaintiff's counsel and may file them under seal.
3. If Defendant offers the opinion of one or more medical professional(s) that Defendant is unable to fly to the United States due to a medical condition or conditions, Defendant must file with the Court the following:

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- a. A declaration from each medical professional, signed under penalty of perjury, that sets forth the medical professional's qualifications, the medical professional's history of treating Defendant, the medical professional's opinion regarding Defendant's ability to fly, business class, with his medical records to the United States, and the reasons underlying the medical professional's opinion. The declaration(s) must be served on Plaintiff's counsel and may be filed under seal.
- b. All medical records relied upon by the medical professional(s) to support their opinion(s). These records must be served on Plaintiff's counsel and may be filed under seal.

Defendant must file the above-listed materials with the Court by **November 8, 2024**.

The Court will review the materials and schedule an in-person hearing on this matter.

**IT IS SO ORDERED.**